



Islamic Law Review on Feminism in Household Life

Article	Abstract
<p>Author Tri Widodo¹, Aidil Risqi Fadilah²</p> <p>¹Sekolah Tinggi Agama Islam Al-Azhary Cianjur ²Sekolah Tinggi Agama Islam Al-Hikmah 2 Brebes</p> <p>Corresponding Author: twido101233@gmail.com¹, aidilrisqifadilah@gmail.com²</p> <p>Data: Submitted: 25-10-2024; Revision: 07-11-2024; Accepted : 08-11-2024; Published: 24-12-2024</p> <p>DOI: DOI: https://doi.org/10.56593/khuluqiyya.v6i2.137</p> <p>Keywords: Islamic Law, Feminism, Household.</p>	<p>This article discusses Islamic Law's review of feminism in domestic life. Feminism, which originally emerged to fight the oppression of women, is now often considered to have deviated from its main objectives, especially in the context of gender roles and traditional values in the household. This research aims to find out the existence of feminism in Indonesia, the review of Islamic Law on feminism in the household, and efforts that can be made to overcome it. Using a descriptive qualitative approach and literature review, this research collected data from various literatures, books and journals. The results show that feminism in Indonesia, which began with figures such as Raden Ajeng Kartini, aims to achieve gender equality and fight patriarchy, but often contradicts the principle of equality in the interpretation of Islamic Law. Islamic law regulates the roles of husbands and wives by emphasising the protection of family rights, although certain interpretations emphasise the wife's obedience to the husband, which can conflict with the principles of feminism. To overcome the impact of feminism in the household, it is important to increase understanding of rights and obligations in Islam, as well as educate the community through seminars and workshops to achieve sakinah, mawadah, and warahmah families.</p>

Introduction

Islamic law, better known as sharia, is a collection of principles, rules and guidelines derived from Islamic teachings, primarily found in the Qur'an and Hadith. This law covers various aspects of life, ranging from worship, muamalah (human relations), to jinaiyah (criminal law). Sharia not only regulates human relations with God, but also human relations in society, including social, economic, political, and criminal law aspects.¹

Islamic Sharia is a Sharia that is full of compassion and tolerance. Each of its teachings contains mercy and wisdom.² Allah, as the arbiter of Shariah (Shāri'ah), never intends to inflict

¹ Misbahuddin Misbahuddin et al., "Normativism of Islamic Law in the Akkattere Hajj Ritual of South Sulawesi's Ammatoa Community," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 31, 2023): 629, <https://doi.org/10.22373/sjhk.v7i1.15987>.

² Ahmad Khoirul Fata, "Pembaharuan Hukum Islam Dan Problem Otentisitas Agama," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 13, no. 2 (2013): 163–78.

hardship on His servants, but rather for a purpose that brings benefit to the universe. In the study of Ushul Fiqh, this benefit is known as *maṣlaḥah*, which means the benefits that Allah wants for His servants, such as the preservation of religion, soul, honour, offspring, mind, and property.

Although there are provisions in the Shariah that may seem harsh or unfair, they actually contain great wisdom and benefits for the people. Every law enacted by Allah has a specific purpose, known as *maqāṣid ash-Sharīʿah*. This purpose underlies the establishment of laws in Islam, which always lead to the good and benefit of the people.³

One of the important aspects of Islamic law is the regulation of domestic life.⁴ Islam teaches that husbands and wives are partners with each other, with mutually binding rights and obligations. Rights are authorities that must be fulfilled, while obligations are responsibilities that must be carried out in order to achieve these rights. The balance of rights and obligations is very important to avoid injustice in the household.

The problem of injustice in the household often comes in the form of violence, which is more often perpetrated by husbands against wives. This violence can be physical, psychological, sexual, economic, or socio-cultural. This leads to feelings of pressure on the wife and a desire to be free from this pressure, which often triggers domestic conflict.⁵

The history of women's civilisation shows many abuses against women, as was the case in ancient Greek civilisation. Women in Athens married at a very young age, and were often killed or sold to brothels if they could not bear sons. In this civilisation, women had no freedom and were always under the domination of men.⁶

The feminist movement emerged as a response to the oppression and subordination of women, which included issues of inequality in decision-making, marginalisation and violence. However, over time, some women in the feminist movement began to demand freedom in aspects that should be the nature of a woman, such as childbirth and child-rearing. This led to a rejection of the traditional role of men as leaders of the household.

Feminism, while bringing about positive changes in gender equality, also brings about negative impacts that cannot be ignored.⁷ Some critics of feminism point out that the movement can lead to a rejection of women's natural responsibilities, such as motherhood. Many Muslim women are influenced by this feminist thinking without understanding its negative effects, which are not in line with Islamic law.⁸

³ Taufiqurohman Taufiqurohman and Nelli Fauziah, "The Evaluation of Maqāṣid Asy-Syarīʿah on Discourses of the Islamic Family Law," *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (2023): 81–90.

⁴ Ahmad Rezy Meidina, "Meninjau Ulang Iwadh Khuluk Perspektif Keadilan Gender," *Al-Manahij: Jurnal Kajian Hukum Islam* 16, no. 1 (2022): 77–90.

⁵ Dinda Difia Madina, Ahmad Rezy Meidina, and Anwar Zein, "The Dynamics of Polygamy and Divorce in Muslim Countries," *El-Aqwal: Journal of Sharia and Comparative Law*, 2023, 135–48.

⁶ Gisela Violin and Yvonne Kezia Nafi, "Protection of Online Gender-Based Violence Victims: A Feminist Legal Analysis," *The Indonesian Journal of Socio-Legal Studies* 1, no. 2 (March 2022), <https://doi.org/10.54828/ijls.2021v1n2.6>.

⁷ Achmad Hariri, "The Dialectics Feminism Paradigm Of The Legal Marriage As A Form Of Legal Protection In Girls," *Syariah: Jurnal Hukum Dan Pemikiran* 21, no. 2 (2021): 125–36, <https://doi.org/https://doi.org/10.18592/sjhp.v21i2.3992>.

⁸ David. dan Nor Ismah Kloos, "Siting Islamic Feminism: The Indonesian Congress of Women Islamic Scholars and the Challenge of Challenging," *Taylor & Francis Online*, no. History and Anthropology (2023), <https://doi.org/https://doi.org/10.1080/02757206.2023.2249495>.

Understanding the rights and obligations of husband and wife in Islam is very important to create a harmonious household.⁹ The Qur'an and Hadith provide clear guidelines regarding the rights and obligations of husbands and wives without forgetting the nature and responsibilities of each. The Qur'anic verse in Surah An-Nisa verse 34 explains the position of men as leaders of the family, which does not reduce the rights of wives, including the right to ownership of personal property.

M. Quraish Shihab argues that this verse shows that the husband's leadership in the household does not reduce the wife's rights in various aspects of life, including the right to personal property and its management.¹⁰ Based on this understanding, the author is interested in examining more deeply the relationship between Islamic law and feminism in domestic life, with the thesis title 'Islamic Law Review of Feminism in Domestic Life'.

Result and Discussion

Overview of Islamic Law

Islamic law is a set of norms or regulations derived from Allah SWT and the Prophet Muhammad SAW to regulate human behaviour in the midst of society. In a shorter sentence, Islamic law can be interpreted as a law derived from Islamic teachings. Islamic law means all the provisions of Allah's commandments that must be obeyed (obeyed) by a Muslim. Islamic law or Islamic law is the relationship between humans and Allah SWT in the form of orders based on the revelation of Allah SWT for all humans brought by the Prophet Muhammad SAW which is related to beliefs and regulations that are binding on behaviour by all Muslims.¹¹

As a legal system it has several key terms that need to be explained, these are the terms law, hukum and ahkam, sharia or sharia, and fiqh or fiqh and several other words related to these terms. Law, if we talk about law in simple terms, immediately comes to mind rules or a set of norms that regulate human behaviour in a society, whether the rules or norms are a reality that grows and develops in society or rules or norms that are made in a certain way and enforced by the authorities. It may take the form of unwritten law such as customary law, or it may take the form of written law in statutory regulations such as Western law. Western law through the principle of concordance, since the mid-19th century (1985) applies in Indonesia. Law in conceptions such as Western law is law that is deliberately made by humans to regulate their own human interests in a particular society. In the conception of statutory law (Western), what is regulated by law is only the relationship between humans and other humans and objects in society.

In addition, there are other conceptions of law, including the conception of Islamic law. The basis and framework of the law is set by God, not only regulating human relationships with other humans and objects and society, but also other relationships, because humans living in society have various relationships. These relationships include man's relationship with God, man's relationship with himself, man's relationship with other human beings and man's relationship with

⁹ Yusuf Rahman, "Feminist Kyai, KH Husein Muhammad: The Feminist Interpretation on Gendered Verses and the Qur'an-Based Activism," *Al-Jami'ah: Journal of Islamic Studies* 55, no. 2 (2017): 293–326.

¹⁰ Rohmatus Sholihah and Muhammad Al-Faruq, "Konsep Keluarga Sakinah Menurut Muhammad Quraish Shihab," *SALIMIYA: Jurnal Studi Ilmu Keagamaan Islam* 1 (2020).

¹¹ Ahmad Azhar Basyir, "Hukum Islam Di Indonesia Dari Masa Ke Masa," *Unisia*, no. 16 (1992): 9–13.

objects in society and the surrounding nature. Human interaction in these various relationships is regulated by a set of behavioural measures, which in Arabic is called *hukm*, plural *ahkam*.¹²

Hukm and *Ahkam*, in Islamic jurisprudence the rule is called *hukm*. That is why in everyday speech people talk about the law of an object or action. What is meant, such as benchmarks, benchmarks, measures or rules regarding the action or object. In the Islamic legal system there are five *hukm* or rules that are used as benchmarks to measure human actions both in the field of worship and in the field of *muamalah*. The five types of rules are called *al-ahkam al-khamsah* or five legal classifications, namely *jaiz* or *mubah* or *ibahah*, *sunnat*, *makruh*, *wajib*, and *haram*.

Sharia is the Muslim way of life. Sharia contains the decrees of Allah and the provisions of His Messenger, both in the form of prohibitions and commands, covering all aspects of human life and living. In terms of legal science, sharia is the basic legal norms established by God, which Muslims are obliged to follow based on faith relating to morals, both in relation to God and to fellow humans and objects in society. This basic legal norm is explained and or further detailed by the Prophet Muhammad as His Messenger.

Al-Fiqh is a science that specifically discusses the laws relating to human deeds, Ibn Subki, defines al-Fiqh as knowledge of the laws of *shara'* relating to deeds, which are extracted from one by one *dalilnya*. What is meant by knowledge (knowledge) here is knowledge that only reaches the level of *zhan* (assumption), this is because in the definition above there is the word *al-muktasab* which means 'attempted' which implies the intervention of human reason in the withdrawal of its laws from the text. Al-Fiqh can also be understood as knowledge of the rights and obligations of a person known from the Qur'an and Sunnah or deduced from them or what has been agreed upon by religious jurists.¹³

Overview of Feminism

Feminism was originally a movement of women who fought for their rights as human beings, just like men.¹⁴ Feminism is a reaction to gender injustice that binds women culturally to a patriarchal system. The conversation about feminism is generally a conversation about how the pattern of relations between men and women in society, as well as the rights, status and position of women in the domestic and public sectors.

According to Kamla Bashin and Nighat Said Khan, two feminists from South Asia, 'it is not easy to formulate a definition of feminism that can be accepted by or applied to all feminists in all places and times. This is because the definition of feminism changes according to the different socio-cultural realities behind its birth and the different levels of awareness, perceptions, and actions taken by feminists themselves'.

However, feminism must be defined clearly and broadly to avoid misunderstanding. For this reason, they propose a broader definition, which is an awareness of oppression and discrimination against women in society, in the workplace and in the family and conscious action by women and men to change this situation.

¹² Mardani, *Hukum Keluarga Islam Di Indonesia* (Jakarta: Kencana, 2017).

¹³ Bani Syarif Maula, *Sosiologi Hukum Islam Di Indonesia: Studi Tentang Realitas Hukum Islam Dalam Konfigurasi Sosial Dan Politik* (Aditya Media Publishing, 2010).

¹⁴ Hariri, "The Dialectics Feminism Paradigm Of The Legal Marriage As A Form Of Legal Protection In Girls."

The fundamental concept offered by feminism to analyse society is gender. The use of the word gender in feminism was first coined by Anne Oakley. According to her, there are two terms that are similar, but not the same, namely sex and gender. Sex means sex, which indicates the biological division of the two human sexes. Gender is a concept about the classification of masculine and feminine traits that are shaped socio-culturally.¹⁵

The Women's Studies Encyclopedia explains that gender is a cultural concept that seeks to make differences in terms of roles, positions, behaviours, mental and emotional characteristics between men and women in society. At this level, there is a cultural line, where the characteristics and traits attached to men and women are interchangeable, because it is not natural.

In general, it can be said that gender is not universal. This means that every society, at a certain time, has a certain cultural system that is different from other societies and other times. This cultural system includes descriptive and prescriptive elements, namely having a clear concept of how men and women actually are and should be. However, in William and Best's research covering 30 countries, there is a consensus on the attributes of men and women. The results prove that although gender is not universal, cultural generalisation has occurred. In general, the masculine label is attached to men who are seen as stronger, more active and characterised by a great need to achieve dominance, autonomy and aggression. In contrast, the feminine label is attached to women who are seen as weaker, less active and more concerned with the desire to nurture and give in.¹⁶

Although feminists share a common awareness of the injustice against women in the family and society, their opinions in analysing the causes of injustice as well as their targets and forms of struggle are different.

Households, according to the Central Bureau of Statistics (BPS), are divided into two, namely Ordinary Household, which consists of a person or group of people who inhabit part or all of the physical building/census, and usually live together and eat from one kitchen. While the other one is Special Household, which is people who live in dormitories, tangsi, orphanages, correctional institutions, or detention centres whose daily management is managed by a foundation or institution as well as a group of people who stay with meals (boarding houses) and number 10 or more people.

Article 104 of the Civil Code states the principle of alimony obligations, namely: reciprocal relationship between husband and wife, children and parents. This article states the principle of alimony, namely the reciprocal relationship in the household, namely mutual protection, mutual maintenance, mutual care, and mutual compliance with the norms and propriety in the household. In Law No 1 of 1974 on marriage, both articles 26 and 27 regulate the rights and obligations of husband and wife, parents and children.

Meanwhile, in this research, what is meant by a household is two people consisting of a man and a woman who are bound by a marriage, whether they have children or not.

¹⁵ Kloos, "Siting Islamic Feminism: The Indonesian Congress of Women Islamic Scholars and the Challenge of Challenging."

¹⁶ Sitti Rohmah and Budi Suyanto, "Critical Discourse Analysis on the Instagram Account Mubadalah.Id from the Perspective of Islamic Feminism," *Journal of Feminism and Gender Studies* 3, no. 1 (January 31, 2023): 53, <https://doi.org/10.19184/jfgs.v3i1.36258>.

Analysing the Existence of Feminism in Indonesia

Feminism in Indonesia is a women's transformation movement that aims to change and create better and fairer human relations.¹⁷ Feminism is not a movement to attack men. Instead, feminism is a form of resistance to the patriarchal system that is unfair to women. The Feminism movement in Indonesia was created due to the influence of various historical conditions of the nation's struggle, national development programmes, reform and globalisation, as well as religious life in society.

The feminist movement in Indonesia first began when Raden Ajeng Kartini wrote a letter about women's rights and gender equality for women. After Indonesia gained independence in 1945, the feminist movement grew with the emergence of women's organisations such as the Indonesian Women's Congress and the Indonesian Women's Movement. Sexual violence, discrimination in education and careers, and the protection of reproductive rights are some of the issues that the feminist movement in Indonesia has focused on.¹⁸

1. The Beginning of the Feminism Movement in Indonesia

In Indonesia, women first formed a feminist organisation, the Indische Vrouwenbond (IVB) in 1912, with the aim of improving women's welfare and fighting for women's rights. Feminist organisations such as Persatuan Emansipasi Wanita Indonesia (PEWI) and Gerakan Wanita Sedar (GWS) later followed in the footsteps of the IVB.

Indonesian women were active in the struggle for independence during the Japanese occupation of Indonesia during World War II. Feminism developed rapidly after Indonesia gained independence in 1945. Raden Ajeng Kartini was one of the early figures of feminism in Indonesia, who encouraged women to get the same education rights as men. An organisation called Perhimpunan Indonesia Perempuan (PIP) was founded in 1947. Compared to earlier feminist organisations, it had a broader goal of fighting for women's rights and Indonesian independence. However, due to the government's focus on national progress after Indonesian independence, the feminist movement waned. In addition, there were groups that opposed feminism because they believed that it threatened established traditions and principles. Some individuals even tried to fight against feminists and organised movements that were in opposition to them, such as masculinism.¹⁹

The feminist movement began to revive in Indonesia in the 1980s with a focus on women's rights such as body rights and economic rights. Some of the feminist organisations that emerged in the 1980s included Solidaritas Perempuan, Yayasan Jurnal Perempuan, and Koalisi Perempuan Indonesia.

Since then, the feminism movement in Indonesia has continued to grow, resulting in many women's organisations and activists fighting for women's rights, such as the right to education, work, and political participation. However, the feminism movement in Indonesia

¹⁷ Fikriyah Istiqlaliyani, "Ulama Perempuan Di Pesantren: Studi Tentang Kepemimpinan Nyai Hj. Masriyah Amva," *Jurnal Educatio FKIP UNMA* 8, no. 1 (2022): 104–9, <https://doi.org/10.31949/educatio.v8i1.1670>.

¹⁸ Nikmatullah Nikmatullah, "Male Ulama Reinterpretation of the Gender Hadith in Indonesian Socio Cultural Contexts," *Pharos Journal of Theology*, no. 105(2) (March 2024), <https://doi.org/10.46222/pharosjot.105.213>.

¹⁹ Pitrotussaadah Pitrotussaadah, Eva Fadhillah, and Faisal Zulfikar, "Islamic Law and Gender: A Misconception of Roles and Responsibilities in Parenting," *De Jure: Jurnal Hukum Dan Syar'iah* 15, no. 2 (December 31, 2023): 331–42, [https://doi.org/10.18860/j-fsh.v15i2.23868.women \(mothers](https://doi.org/10.18860/j-fsh.v15i2.23868.women%20(mothers)

has also faced challenges and controversies, especially in terms of different perspectives on issues such as reproductive rights and LGBT rights.

2. History of the Women's Movement in Indonesia

Colonial Period (Late 19th Century to early 20th Century) From 1879-1904, the Indonesian feminist movement during the colonial period was spearheaded by Raden Ajeng Kartini. It started because she was treated unfairly by her parents because her parents forced her to be confined (locked up in the house), and she was the only one confined out of all her siblings. And all her siblings were educated at Leiden University in the Netherlands. After marriage, Kartini felt humiliated by the law of polygamy in marriage. Then, she opened a special school for women and educated women so that they could have the same rights as men. After these events, a new feminist figure was born on the island of Java, precisely in West Java, namely Dewi Sartika.²⁰

In 1912, Poetri Mardika was born. She was the first member of a women's organisation. The first national organisation was Boedi Oetomo (1908). After the emergence of Poetri Mardika, other women's groups were known as Putri Sejati and Wanita Utama. Furthermore, the Islamic Reform Movement Muhammadiyah, founded in 1917, created the women's organisation Aisyiah in 1920. Catholic and Protestant women's organisations followed suit. This was also true for Maluku, Minahasa, and Minangkabau. The Catholic and Protestant women's organisations spoke out against polygamy, while the Aisyiah women's movement focused on improving women's education and improving conditions for polygyny.

In 1920, the Sarekat Rakyat organisation emerged to fight for increased wages and good working conditions for women. Other organisations later emerged to fight for education for women, against polygamy, child marriage, and trafficking in women and children.

Many women's organisations emerged during this year. Persatoean Perempuan Indonesia (PPI) was one of 30 organisations founded in 1928 and campaigned for marriage reform and education reform. Its name was later changed to Perhimpunan Perhimpunan Istri Indonesia (PPII), which campaigned to end the trafficking of women and children. The organisation Istri Sedar (1930) continued to speak out against divorce and polygamy. In the 1930s, women's organisations were growing rapidly.²¹

Islamic Law Review on Feminism in the Household

The roles of men and women receive important attention in Islam. Both men and women have duties and responsibilities based on their respective natures. As a religion that always prioritises benefit, Islam stipulates several rights and obligations for husbands and wives and must be fulfilled.²²

In the family institution, Islam prioritises the position of men as the head of the family, this is because men have the duty to provide for their families. In Q.S. Al-Baqarah verse 228:

²⁰ Zakiyah Mustafa Husba et al., "Gender Motif in Three Tolakinese Folktales," *Kandai* 16, no. 2 (2020): 231–44, <https://doi.org/10.26499/jk.v16i2.2104>.

²¹ Neng Eri Sofiana et al., "Gender-Responsive Construction in Nikah-Kawin Traditions in West Java: A Qiwamah Perspective," *El-Mashlahah* 14, no. 1 (2024): 71–94, <https://doi.org/https://doi.org/10.23971/el-mashlahah.v14i1.7691>.

²² Lilach Rosenberg-Friedman, "Nationalism, Gender and Feminine Identity: The Case of Post-World War II Zionist Female Emissaries," *European Journal of Jewish Studies* 8, no. 2 (2014): 194–216.

وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ وَلَا يَحِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ
الْآخِرِ وَبُعُولَتُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ۗ
وَاللَّهُ عَزِيزٌ حَكِيمٌ

So the role of men must be able to foster and protect their families. The position of men as leaders, especially in family institutions, also refers to Q.S.An-Nisa verse 34:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ ۚ فَالصَّالِحَاتُ قَنَاطٌ لِّلْغَيْبِ
بِمَا حَفِظَ اللَّهُ ۚ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاضْرِبُوهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا
إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا

Men are positioned as the head of the family or the leader of their family. The interpretation of this verse then undergoes various interpretations. The classics interpreted this verse to strengthen the position of men over women, where men feel superior to women. This verse is also correlated with hadiths that weaken women so that women experience backwardness in society. Due to interpretations that place authority in the hands of men, women are often subjected to unfair treatment such as restrictions on women's work space and being required to take care of household chores. Men consider themselves as the leaders of the household and they only work as breadwinners and fulfil the needs of their families. While housework such as cooking, washing, taking care of children is the wife's obligation and they believe that this is one of the wife's devotion to her husband.

In contrast to the role of men, women are encouraged to stay at home and take care of household chores. This is supported by Q.S.Al-Ahzab verse 33:

وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَى ۚ وَأَقِمْنَ الصَّلَاةَ وَآتِينَ الزَّكَاةَ وَأَطِعْنَ اللَّهَ وَرَسُولَهُ ۚ إِنَّمَا يُرِيدُ اللَّهُ لِيُذْهِبَ
عَنْكُمُ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ تَطْهِيرًا

The interpretation of the two verses above creates gender injustice and inequality. A female psychologist named Cleo Dalon argued that a woman's leadership is based on feelings while a man's leadership is under the consideration of reason. This is a reflection that women often use feelings as a leader will only weaken her because her feelings are very subtle. So in reality, women must accept that she needs male leadership over her. Seeing the interpretation that weakens women, this has received many responses from various women's circles including Amina Wadud who responded that the verses above cannot be interpreted and pivoted only from one point of view, but must be seen as a whole that brings benefits. Placing men as leaders of households and placing women limited to the domestic space is wrong.²³

According to Islamic jurist Ibn Hazim, he argues that women are not essentially responsible for providing services to their husbands in terms of providing food, sewing and so on.²⁴ In this

²³ Siti Nurjanah and Iffatin Nur, "Gender Fiqh: Mobilization of Gender-Responsive Movement on Social Media," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (May 31, 2022): 1–18, <https://doi.org/10.18326/ijtihad.v22i1.1-18>.

²⁴ Tolga Tezcan, "Gender Gap in Religiosity and Interfaith Marriage Attitudes: Muslim Migrants in Germany," *International Journal of Intercultural Relations* 102 (September 2024): 102040, <https://doi.org/10.1016/j.ijintrel.2024.102040>.

case, it is the husband who has the responsibility to prepare food and clothes for his wife and children. However, both wives and husbands still have natures and responsibilities that must be fulfilled for their respective rights and obligations.

As for Q.S.al-Ahzab verse 33 above, some contemporary scholars such as Al-Maudidi interpret that 'the home is a place for women, they are not exempted from work outside this so that they are always in peace and honour. If they are required to go out, then there is no problem but they always maintain their chastity and modesty. This of course raises various questions, including regarding career women. Where, they have time to work outside the home. Is this allowed? In this case Muhammad Quthub, one of the Ikhwan al-Muslimin thinkers, stated that this is certainly not a problem. The verse does not provide a prohibition against women, because Islam itself does not prohibit women from working. However, Islam does not encourage it. Islam justifies the work done by a woman as something that is an emergency and does not make it a basis for a woman to work.

Both men and women have the same opportunity to develop their potential, both by going out together in public spaces and by participating in doing housework together. Men's understanding that housework is a wife's duty and obligation needs to be reviewed. Many women experience pressure and heavy burdens in doing domestic chores. Why? Because housework is not an easy thing to do alone. The polemic regarding housework is still an ambiguous issue for both men and women.²⁵

Basically, Islam provides open space for both men and women. Islam prioritizes the welfare, justice and happiness of anyone. In Islam, protection, respect for a person's dignity and self-image are highly guarded, especially for women. However, there are two things that need to be considered again, namely religious evidence and its interpretation. The interpretation that often weakens women is theology during the Jahiliyah era which was then legalized with an interpretation that discriminates against women, one of which is related to the placement of women in the domestic space and apart from the help of men.

Regarding domestic affairs, KH. Muchit Muzadi is of the view that propaganda against housework (domestic) should not drag women out of the home in order to achieve a public role. Provocation carried out with the label of women's dignity is not the right choice, because a more appropriate effort in domestic roles and public roles for women is to create proportional space for women based on the basic values of Islam universally.²⁶

In Islam, the position of women is divided into five parts. One of them is the position of women as wives. In Q.S.an-Nisa: 19, Allah SWT says:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ كَرِهًا ۚ وَلَا تَعْضُلُوهُنَّ لِيَتَذَهَبُوا بِبَعْضِ مَا آتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيِّنَةٍ ۚ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ ۚ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

According to Asy-Syaikh Abdurrahman bin Nasir As-Sa'di, the meaning of the verse above does not only refer to words but also includes actions. A man is obliged to provide for his family physically and mentally in a good and lawful manner and protect them from unwanted things.

²⁵ Okti Nur Hidayah, Musyafangah, and Ahmad Rezy Meidina, "Analysis of the Rights and Obligations of Husband and Wife in the Compilation of Islamic Law: A Review from the Perspective of Gender Equality," *Legitima : Jurnal Hukum Keluarga Islam* 6, no. 1 (December 30, 2023): 1–15, <https://doi.org/10.33367/legitima.v6i1.4148>.

²⁶ Akhmad Arif Junaidi, "Kongres Ulama Perempuan Indonesia (KUPI) and Mubādalāh Approach in Interpreting the Gender Biased-Qur'anic Verses," *Sawwa: Jurnal Studi Gender* 18, no. 1 (2023): 1–24, <https://doi.org/10.21580/sa.v18i1.17269>.

From the verse of the Qur'an above, Allah gives a picture that men and women have the same role, the husband is the leader of the household while the wife is responsible for managing the household. However, in Islam, although housework is often done by a wife, it does not mean that the task is done entirely by the wife. If the wife experiences obstacles or difficulties in cooking, washing, taking care of children and taking care of other housework, then as a husband she is required to be able to take on that role. This is a form of good at-ta'awun between husband and wife.

Domestic work is also a man's job, as exemplified by the Prophet when he lived with his wives. Work such as cooking, sewing clothes, and washing clothes, the Prophet did himself. This gives the meaning that domestic affairs or housework are not only the burden and responsibility of the wife but are a shared responsibility.

Having cooperation in doing housework (domestic affairs) or other practices in household life becomes an important urgency to face various basic problems in the household. Allah SWT. said in Q.S. al-Maidah:

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

From the verses above, it can be understood that Islam places men and women in the same position without comparing gender. Islam places gender as an important issue to continue to be studied. Men and women are both human beings who receive respect, protection and protection of their dignity and identity. In building and fostering a household life, husband and wife need good cooperation in fulfilling the rights and obligations of both. Husband and wife are partners in running a household life. Husband and wife must complement each other and need this to signal the existence of equal partners between the two.

But this is certainly not an easy thing to realize in a family institution. Not all families are able to implement cooperation in domestic matters, especially for those who are still in the corridor of patriarchal authority. So the following story can be used as motivation and enthusiasm in households, especially for women in doing housework.

Thus, in Islamic teachings there is no oppression, no unilateral domination, no feeling of being superior to others. Islam views these two genders, namely men and women, husband or wife, as creatures created by Allah who receive equal treatment and respect each other. Then, for women who are still struggling in the distribution of roles related to housework, doing housework alone without help is a source of great opportunity for her to collect more rewards and goodness, if all she does is do the housework and serve her husband with good intentions and sincere.

Marxist feminism examines gender inequality through the lens of economic structure and social class, emphasizing that patriarchy and capitalism often intersect in oppressing women.

With these steps, there is a chance to create a balance between domestic and public roles for women, as well as to counter feminist ideas that are considered contrary to Islamic principles. These efforts are not only aimed at protecting Islamic values, but also at creating a more just and prosperous society for all its members.²⁷

²⁷ Lakoni Lakoni, M. Ardiansyah, and Masayu Nila Juwita, "Reconstruction of Marriage and Divorce Law for Civil Servants," *SMART: Journal of Sharia, Traditon, and Modernity* 3, no. 1 (July 30, 2023): 55, <https://doi.org/10.24042/smart.v3i1.16979>.

The above steps are strengthened by the opinion of M. Quraish who emphasized that the Qur'an provides equal rights and obligations for men and women, even though their roles are different. In many of his interpretations, he emphasized that equality in Islam does not mean equality in all aspects, but rather equality in basic rights and respect for each other's dignity.

In his interpretation of QS. An-Nisa' 32, he explained that despite differences in roles and responsibilities, both sexes have equal rights to receive fair treatment and respect. He emphasized that women's domestic role does not mean they are inferior, but rather part of a division of tasks that should complement each other and be respected.²⁸

He acknowledged the differences in roles between husband and wife in the family, as regulated in QS. An-Nisa' 34 and QS. Al-Baqarah 228. He also emphasized that these differences must be understood in the context of justice and mutual respect. In many of his explanations, he emphasized that male leadership in the household does not mean domination, but rather the responsibility and obligation to maintain and care for the family.

According to Shihab, the responsibility of men as heads of families in Islam is more related to the ability to provide for and protect the family, while the responsibility of women includes managing the household. However, he also emphasized the importance of cooperation and mutual understanding between husband and wife. M. Quraish Shihab often talks about the importance of justice in husband and wife relationships. In his view, justice means that each party gets their rights and no one feels disadvantaged. He stated that the interpretation of the verses of the Qur'an must take into account the social and cultural context and the main purpose of the teachings, which is to create justice and prosperity for all parties.²⁹

In interpreting QS. An-Nisa' 19, he explained that the verse teaches about the importance of treating wives well and prohibits unfair treatment or coercion. This reflects Islam's commitment to justice and the protection of women's rights. He also emphasized that Islam encourages cooperation and mutual assistance between husband and wife in taking care of the household. Although there are different roles, both must support and respect each other. He often emphasized that the relationship between husband and wife should be based on the principle of partnership and affection, not domination or oppression. In his interpretation, Shihab emphasized the importance of husband and wife working together in completing household tasks and supporting each other, as exemplified by the Prophet Muhammad SAW in his daily life.³⁰

Conclusion

Based on the results of research related to the review of Islamic law on feminism in domestic life, feminism in Indonesia is rooted in the struggle of figures such as Raden Ajeng Kartini and has continued to develop since independence in 1945. This movement aims to achieve gender equality and fight the patriarchal system by focusing on issues such as sexual violence, discrimination,

²⁸ Linda Firdawaty et al., "Husein Muhammad's Thoughts on Gender Equality in Islamic Inheritance Law," *Al-'Adalah* 19, no. 2 (April 16, 2023): 223–44, <https://doi.org/10.24042/adalah.v19i2.13123>.

²⁹ Rohmah and Suyanto, "Critical Discourse Analysis on the Instagram Account Mubadalah.Id from the Perspective of Islamic Feminism."

³⁰ Efa Rodiah Nur, Fathul Mu'in, and Hamsidar Hamsidar, "The Reconstruction of The Livelihood Concept from A Mubādalāh Perspective in Lampung Province," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (November 30, 2023): 1897, <https://doi.org/10.22373/sjhk.v7i3.17613>.

and reproductive rights. However, feminism faces challenges in the form of interpretations of Islamic law that sometimes conflict with the principle of equality. On the other hand, Islamic law provides clear guidance on roles and responsibilities in the household, emphasizing the protection of the rights of each family member. Although the principle of equality exists in Islam, some legal interpretations emphasize the wife's obedience to her husband, which can be considered contrary to the values of feminism. Therefore, constructive dialogue and contextual *ijtihad* are needed to integrate the values of feminism into Islamic law in order to create a balance of rights and obligations in the household. Efforts to overcome the challenges of feminism in the household include increasing in-depth understanding of religion, especially for women, so that they understand their rights and obligations according to Islamic teachings. In addition, holding seminars and workshops on gender roles in the family can help educate the public about Islamic values that support equality and harmony. Promoting the concept of a *sakinah, mawadah, and warahmah* family is also an important step in creating a harmonious family environment, mutual respect, and support for the positive role of each member in creating shared prosperity.

References

- Basyir, Ahmad Azhar. "Hukum Islam Di Indonesia Dari Masa Ke Masa." *Unisia*, no. 16 (1992): 9–13.
- Fata, Ahmad Khoirul. "Pembaharuan Hukum Islam Dan Problem Otentisitas Agama." *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 13, no. 2 (2013): 163–78.
- Firdawaty, Linda, Ahmad Munji, Ahmad Sukandi, Nurnazli Bukhari, and Ira Apriani. "Husein Muhammad's Thoughts on Gender Equality in Islamic Inheritance Law." *Al-Adalah* 19, no. 2 (April 16, 2023): 223–44. <https://doi.org/10.24042/adalah.v19i2.13123>.
- Hariri, Achmad. "The Dialectics Feminism Paradigm Of The Legal Marriage As A Form Of Legal Protection In Girls." *Syariah: Jurnal Hukum Dan Pemikiran* 21, no. 2 (2021): 125–36. <https://doi.org/https://doi.org/10.18592/sjhp.v21i2.3992>.
- Husba, Zakiah Mustafa, Heksa Biopsi Puji Hastuti, NFN Rahmawati, and NFN Uniawati. "Gender Motif in Three Tolakinese Folktales." *Kandai* 16, no. 2 (2020): 231–44. <https://doi.org/10.26499/jk.v16i2.2104>.
- Istiqbalayani, Fikriyah. "Ulama Perempuan Di Pesantren: Studi Tentang Kepemimpinan Nyai Hj. Masriyah Amva." *Jurnal Educatio FKIP UNMA* 8, no. 1 (2022): 104–9. <https://doi.org/10.31949/educatio.v8i1.1670>.
- Junaidi, Akhmad Arif. "Kongres Ulama Perempuan Indonesia (KUPI) and Mubādalāh Approach in Interpreting the Gender Biased-Qur'anic Verses." *Sawwa: Jurnal Studi Gender* 18, no. 1 (2023): 1–24. <https://doi.org/10.21580/sa.v18i1.17269>.
- Kloos, David. dan Nor Ismah. "Siting Islamic Feminism: The Indonesian Congress of Women Islamic Scholars and the Challenge of Challenging." *Taylor & Francis Online*, no. History and Anthropology (2023). <https://doi.org/https://doi.org/10.1080/02757206.2023.2249495>.
- Lakoni, Lakoni, M. Ardiansyah, and Masayu Nila Juwita. "Reconstruction of Marriage and Divorce Law for Civil Servants." *SMART: Journal of Sharia, Traditon, and Modernity* 3, no. 1 (July 30, 2023): 55. <https://doi.org/10.24042/smart.v3i1.16979>.

- Madina, Dinda Difia, Ahmad Rezy Meidina, and Anwar Zein. "The Dynamics of Polygamy and Divorce in Muslim Countries." *El-Aqwal: Journal of Sharia and Comparative Law*, 2023, 135–48.
- Mardani. *Hukum Keluarga Islam Di Indonesia*. Jakarta: Kencana, 2017.
- Maula, Bani Syarif. *Sosiologi Hukum Islam Di Indonesia: Studi Tentang Realitas Hukum Islam Dalam Konfigurasi Sosial Dan Politik*. Aditya Media Publishing, 2010.
- Meidina, Ahmad Rezy. "Meninjau Ulang Iwadh Khuluk Perspektif Keadilan Gender." *Al-Manahij: Jurnal Kajian Hukum Islam* 16, no. 1 (2022): 77–90.
- Misbahuddin, Misbahuddin, Arba'iyah Ys, Andi Intan Cahyani, Titin Samsudin, and Iwan Zainul Fuad. "Normativism of Islamic Law in the Akkattere Hajj Ritual of South Sulawesi's Ammatoa Community." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 31, 2023): 629. <https://doi.org/10.22373/sjkh.v7i1.15987>.
- Nikmatullah, Nikmatullah. "Male Ulama Reinterpretation of the Gender Hadith in Indonesian Socio Cultural Contexts." *Pharos Journal of Theology*, no. 105(2) (March 2024). <https://doi.org/10.46222/pharosjot.105.213>.
- Nur, Efa Rodiah, Fathul Mu'in, and Hamsidar Hamsidar. "The Reconstruction of The Livelihood Concept from A Mubādalāh Perspective in Lampung Province." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (November 30, 2023): 1897. <https://doi.org/10.22373/sjkh.v7i3.17613>.
- Nur Hidayah, Okti, Musyafangah, and Ahmad Rezy Meidina. "Analysis of the Rights and Obligations of Husband and Wife in the Compilation of Islamic Law: A Review from the Perspective of Gender Equality." *Legitima : Jurnal Hukum Keluarga Islam* 6, no. 1 (December 30, 2023): 1–15. <https://doi.org/10.33367/legitima.v6i1.4148>.
- Nurjanah, Siti, and Iffatin Nur. "Gender Fiqh: Mobilization of Gender-Responsive Movement on Social Media." *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (May 31, 2022): 1–18. <https://doi.org/10.18326/ijtihad.v22i1.1-18>.
- Pitrotussaadah, Pitrotussaadah, Eva Fadhillah, and Faisal Zulfikar. "Islamic Law and Gender: A Misconception of Roles and Responsibilities in Parenting." *De Jure: Jurnal Hukum Dan Syar'iah* 15, no. 2 (December 31, 2023): 331–42. <https://doi.org/10.18860/j-fsh.v15i2.23868>.
- Rahman, Yusuf. "Feminist Kyai, KH Husein Muhammad: The Feminist Interpretation on Gendered Verses and the Qur'ān-Based Activism." *Al-Jami'ah: Journal of Islamic Studies* 55, no. 2 (2017): 293–326.
- Rohmah, Sitti, and Budi Suyanto. "Critical Discourse Analysis on the Instagram Account Mubadalah. Id from the Perspective of Islamic Feminism." *Journal of Feminism and Gender Studies* 3, no. 1 (January 31, 2023): 53. <https://doi.org/10.19184/jfgs.v3i1.36258>.
- Rosenberg-Friedman, Lilach. "Nationalism, Gender and Feminine Identity: The Case of Post-World War II Zionist Female Emissaries." *European Journal of Jewish Studies* 8, no. 2 (2014): 194–216.
- Sholihah, Rohmatus, and Muhammad Al-Faruq. "Konsep Keluarga Sakinah Menurut Muhammad Quraish Shihab." *SALIMIYA: Jurnal Studi Ilmu Keagamaan Islam* 1 (2020).

- Sofiana, Neng Eri, Miftahul Huda, Nor Ismah, Agus Purnomo, and Luthfi Hadi Aminuddin. "Gender-Responsive Construction in Nikah-Kawin Traditions in West Java: A Qiwamah Perspective." *El-Mashlahah* 14, no. 1 (2024): 71–94. <https://doi.org/https://doi.org/10.23971/el-mashlahah.v14i1.7691>.
- Taufiqurohman, Taufiqurohman, and Nelli Fauziah. "The Evaluation of Maqāṣid Asy-Syarī'ah on Discourses of the Islamic Family Law." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (2023): 81–90.
- Tezcan, Tolga. "Gender Gap in Religiosity and Interfaith Marriage Attitudes: Muslim Migrants in Germany." *International Journal of Intercultural Relations* 102 (September 2024): 102040. <https://doi.org/10.1016/j.ijintrel.2024.102040>.
- Violin, Gisela, and Yvonne Kezia Nafi. "Protection of Online Gender-Based Violence Victims: A Feminist Legal Analysis." *The Indonesian Journal of Socio-Legal Studies* 1, no. 2 (March 2022). <https://doi.org/10.54828/ijsls.2021v1n2.6>.